

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/26/06

-----X
NOVOGEN RESEARCH PTY. LTD.,

Plaintiff,

v.

CHATTEN, INC.,

Defendant.
-----X

06 Civ. 1857 (BSJ) (DFE)
~~Civ. (BSJ)~~

CIVIL CASE
MANAGEMENT PLAN

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

DAUGLAS F. EXTON, U.S.M.J.

After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

The case (is) ~~to be~~ to be tried to a jury.

See next page, at bottom.

Joinder of additional parties must be accomplished by 12/20/06.

Amended pleadings may be filed ^{as of right} until 12/20/06.

Discovery:
Initial disclosures under Rule 26(a) will be served by 8/18/06.

1. ~~Initial~~ Requests for production of documents, if any, to be served by 5/15/07.

2. Interrogatories pursuant to Rule 33.3(a) of the Local Rules of the Southern District of New York to be served by 5/15/07.

3. Fact depositions to be completed by 6/15/07.

a. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.

b. Depositions shall proceed concurrently.

c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow

party depositions.

4. ~~Initial expert reports~~ ^{exchanged} ~~are to be designated by~~ 7/20/07
and ~~reply~~ reports exchanged no later than 8/17/07.
Expert depositions to be completed by 9/14/07.
5. Requests to Admit, if any, are to be served no later than 5/15/07.
6. All discovery is to be completed by 9/14/07.
Interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain they can still meet the discovery completion date ordered by the Court, which shall not be adjourned except upon a showing of extraordinary circumstances.
7. Dispositive motions are to be served and filed by 10/19/07
within 3 weeks. Opposition papers are to be served and filed ~~within 3 weeks~~ within 2 weeks. Reply papers are to be served and filed within 2 weeks.
8. All motions and applications shall be governed by the Court's Individual Rules of Practice.

SO ORDERED:

Amplias F. Eaton
U.S.M.J.

for BARBARA S. JONES,
UNITED STATES DISTRICT JUDGE

Dated: New York, New York

July 26, 2006

9. By 11/17/06, plaintiff will identify its patent claims.
10. Construction of claims — plaintiff's by 3/12/07, defendant's by 3/19/07, plaintiff's reply by 3/26/07. By 4/9/07, the parties will file with Judge Jones a joint statement concerning claims construction. By 4/23/07, simultaneous briefs; by 5/8/07, simultaneous responsive briefs. A Markman hearing will be held on 5/29/07 or at Judge Jones's earliest convenience.